

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

ORDINANCE
NUMBER 2026 –

5 AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF
6 CHARLOTTE COUNTY, FLORIDA AMENDING ARTICLE I OF CHAPTER
7 2-4 OF THE CODE OF LAWS AND ORDINANCES OF CHARLOTTE
8 COUNTY, FLORIDA; REGULATING THE OPERATION OF ELECTRIC
9 BICYCLES, MOTORCYCLES, AND PERSONAL ELECTRIC
10 POWERED DEVICES ON STREETS, SIDEWALKS, AND SIDEWALK
11 AREAS IN CHARLOTTE COUNTY; PROVIDING DEFINITIONS FOR
12 THE TERM "ELECTRIC BICYCLE," "MOTORCYCLE,"
13 "MICROMOBILITY DEVICE," AND OFF HIGHWAY VEHICLES AND
14 MOTORCYCLES; PROHIBITING THE OPERATION OF ELECTRIC
15 POWERED DEVICES ON TRAILS, GREENWAYS, GREENBELTS,
16 AND EASEMENTS IN CHARLOTTE COUNTY; PROVIDING A
17 PENALTY FOR VIOLATION OF THIS SECTION; PROVIDING FOR
18 CODIFICATION AND SCRIVENER'S ERRORS; PROVIDING FOR
19 CONFLICTS OF LAW; PROVIDING FOR SEVERABILITY; AND
20 PROVIDING FOR AN EFFECTIVE DATE.

21
22
23
24

RECITALS

25 WHEREAS, Section 316.2065, 316.20655, and 316.2068, Florida Statutes, allows
26 the County, through the exercise of its powers under Section 316.008, Florida
27 Statutes, to adopt an ordinance governing the operation of bicycles, electric bicycles,
28 and electric mobility devices on streets, highways, sidewalks, and sidewalk areas and
29 regulating the operation of an electric bicycle on a bicycle path, multiuse path,
greenways, or trail networks; and

30 WHEREAS, Charlotte County has a significant government interest in
31 pedestrian and bicyclist safety, and this ordinance regulates conduct for the purpose
32 of promoting pedestrian and bicyclist safety; and

33 WHEREAS, there has been a noticeable increase in the operation of electric
34 bicycles, electric motorcycles, and similar personal electric powered machines on
35 public sidewalks and upon public right of ways in Charlotte County, which presents

36 enhanced opportunities for crashes and injuries with other pedestrian and persons
37 with standard and electric mobility devices upon those sidewalks, due in part to the
38 steady accelerated speed with which electric bicycles and motorcycles can maintain
39 as compared to manually operated bicycles; and

40 WHEREAS, the County maintains sufficient jurisdiction and authority pursuant
41 to Sections 316.006 and 316.008, Florida Statutes, other relevant state and federal
42 laws, and the Charlotte County Code of Laws and Ordinances (the "Code") to
43 regulate the activities subject to this ordinance; and

44 WHEREAS, the Board finds that amending and restating Article I of Chapter 2-4
45 of the Code as provided below is narrowly tailored to impose specific regulations to protect
46 the health, safety, and welfare of Charlotte County's residents, guests, and visitors by
47 reducing the likelihood of serious bodily injury or death that results from conflicts between
48 vehicular traffic, bicyclists, and pedestrians progressing on the sidewalks, crosswalks,
49 intersections, bicycle paths, multiuse paths, greenways, and trail networks in the
50 unincorporated area of Charlotte County.

51 NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners
52 of Charlotte County, Florida:

53 Section 1. Article I, Chapter 2-4, of the Code is hereby amended to read as follows
54 (words that are stricken out are deletions; words that are underlined are additions):

55 Section 2.

56 ~~Sec. 2-4-4, 2-4-5.~~ - Reserved.

57 Sec. 2-4-4. Operation of electric bicycles, electric motorcycles, and other
58 electric-powered devices in Charlotte County.

59 (a) Applicability. This Ordinance applies to lands in unincorporated Charlotte
60 County, Florida.

61
62 (b) Definitions. For purposes of this section, the following words and phrases
63 shall have the meanings ascribed to them:

64 *Electric Bicycle* (all classes) shall mean the term “electric bicycle” as defined
65 in Section 316.003, Florida Statutes, as amended from time to time.

66 *Electric Personal Assistive Mobility Device* shall have the same meaning as
67 defined in Section 316.003, Florida Statutes, as amended from time to time.

68 *Micromobility Device* shall have the same meaning as defined in Section
69 316.003, Florida Statutes, as amended from time to time.

70 *Motorcycle* shall mean the term “motorcycle” as defined in Section 316.003,
71 Florida Statutes, as amended from time to time, and shall include all motor vehicles,
72 pocket bikes or similar devices, that are manufactured without pedals and have not
73 been modified to have pedals, therein defined notwithstanding the means of propulsion
74 of such vehicle, including but not limited to the use of gasoline, electricity, battery, or
75 other fuels or systems as a means of propulsion.

76 *Motorized Scooter* shall have the same meaning as defined in Section
77 316.003, Florida Statutes, as amended from time to time.

78 *Off-Highway Vehicle or Motorcycle* shall have the same meaning as defined in
79 Section 261.03, Florida Statutes, as amended from time to time.

80 *Bicycle Lane, Bicycle Path, Crosswalk, Intersection, Median, and Sidewalk*
81 shall have the same meaning as defined in Section 316.003, Florida Statutes, as

82 amended from time to time.

83 *Multi-Use Path or Shared Path or Shared-Use Path* shall mean a physically
84 separated, hard-surfaced or shell or rock trail or path for non-motorized traffic which
85 is wider than a sidewalk and are designed for the use of bicyclists and pedestrians at
86 the same time and may provide access to destinations with limited exposure to motor
87 vehicles

88 *Greenway and Trail or Trail Network* shall have the same meaning as defined
89 in Section 260.013, Florida Statutes, as amended from time to time.

90

91 (c) Operation on Public Sidewalks, Crosswalks, Intersections, and Multi-Use
92 Pathways.

93 (1.) Authorization: Bicycles, electric bicycles, electric motorcycles,
94 electric personal assistive mobility devices, micromobility devices, motorized
95 scooters, or similar electric devices are allowed pursuant to law upon the public
96 sidewalks, crosswalks, intersections, multi-use pathways, and designated bicycle
97 paths within the unincorporated area of Charlotte County over which the County has
98 traffic control jurisdiction.

99 (2.) Speed: All bicycles, electric bicycles, electric motorcycles,
100 electronic personal assistive mobility devices, micromobility devices, motorized
101 scooters, or similar personal electric devices shall travel no more than 15 miles per
102 hour on any public sidewalk, crosswalk, intersection, multi-use path, and designated
103 bicycle paths.

104 (3.) Safety Equipment: A rider or passenger of any of the above electric

105 vehicles/devices who is under 16 years of age must wear at least a helmet that is
106 properly fitted and is fastened securely upon the passenger's head by a strap and
107 that meets the federal safety standard for helmets pursuant to law. As used in this
108 subsection, the term "passenger" includes a child who is riding in a trailer or
109 semitrailer attached to an electronic vehicle/device.

110 (4.) Lighting: Any of the above defined electronic vehicles/devices shall,
111 between dusk and dawn, be equipped with a lamp on the front exhibiting a white light
112 visible from a distance of at least 500 feet to the front and a lamp and reflector on the
113 rear each exhibiting a red light visible from a distance of 600 feet to the rear. An
114 electronic vehicle/device or its rider may be equipped with lights or reflectors in
115 addition to those required by this section.

116 (5.) Yielding Right of Way: A person operating an electronic
117 vehicle/device, as defined in this section, upon and along a sidewalk, or across a
118 roadway upon and along a crosswalk or intersection, shall yield the right-of-way to
119 any pedestrian and shall give an audible signal before overtaking and passing such
120 pedestrian.

121 (6.) Applicable Laws: Any person operating an electronic vehicle/device
122 as defined in this section upon and along any public sidewalk, crosswalk, intersection,
123 and designated bicycle path shall abide by all applicable laws with respect to
124 pedestrian and bicycle regulations as defined in Chapter 316, Florida Statutes.

125

126 (d) Operation on Public Roadways and Bicycle Lanes.

127 (1.) Authorization: Bicycles, electric bicycles, electric motorcycles,

128 electric personal assistive mobility devices, micromobility devices, motorized
129 scooters, or similar electric devices are allowed pursuant to law upon the public
130 roadways and bicycle lanes within the unincorporated area of Charlotte County over
131 which the County has traffic control jurisdiction.

132 (2.) Speed: All bicycles, electric bicycles, electric motorcycles not
133 registered under Chapter 320, Florida Statutes, electronic personal assistive mobility
134 devices, micromobility devices, motorized scooters, or similar personal electric
135 devices shall travel no more than the posted speed limit or statutory speed limit on
136 any public roadway or bicycle lane.

137 (3.) Safety Equipment: A rider or passenger of any of the above electric
138 vehicles/devices who is under 16 years of age must wear at least a helmet that is
139 properly fitted and is fastened securely upon the passenger's head by a strap and
140 that meets the federal safety standard for helmets and otherwise required pursuant
141 to law. As used in this subsection, the term "passenger" includes a child who is riding
142 in a trailer or semitrailer attached to an electronic vehicle/device.

143 (4.) Lighting: Any of the above defined electronic vehicles/devices shall,
144 between dusk and dawn, be equipped with a lamp on the front exhibiting a white light
145 visible from a distance of at least 500 feet to the front and a lamp and reflector on the
146 rear each exhibiting a red light visible from a distance of 600 feet to the rear. An
147 electronic vehicle/device or its rider may be equipped with lights or reflectors in
148 addition to those required by this section.

149

150 (e) Operation on Trails, Greenways, and Greenbelts Prohibited.

151 Motor vehicles, bicycles, electric bicycles, motorcycles or electric motorcycles,
152 off-highway vehicles or motorcycles, electric personal assistive mobility devices,
153 micromobility devices, motorized scooters, or similar electric vehicles/devices are not
154 allowed upon the trails, greenways, and greenbelts within the unincorporated area of
155 Charlotte County over which the County has jurisdiction, unless otherwise posted by
156 the County.

157

158 (f) Official use of motorcycles, electric bicycles, or electric vehicles and devices
159 by duly licensed law enforcement officers performing authorized duties are exempt
160 from prohibitions described in this section. Utility company workers or their
161 authorized contractors are exempt from section (e) when they are performing
162 authorized duties.

163

164 (g) Signage authorized. The County may install such signage as is necessary
165 and appropriate to designate or prohibit operation in areas as described in this
166 section.

167

168 (h) Enforcement. The Sheriff of Charlotte County and any certified Law
169 Enforcement Officer of the State of Florida has the authority to enforce this section.

170

171 (i) Penalties. Any person violating any of the provisions of this section is subject
172 to at least a non-moving penalty as defined in Florida Statute 318. Nothing in this
173 section prohibits law enforcement from effecting an arrest, towing of the violating

174 vehicle, or any other appropriate action as defined in Chapters 316, 318, 320 and
175 322, Florida Statutes, as amended from time to time.

176

177 Section 3. Codification and Scrivener's Errors. It is the intention of the Board,
178 and it is hereby ordained that the provisions of this Ordinance shall become and be made
179 a part of the Code and Laws and Ordinances of Charlotte County, Florida, and the
180 sections of this Ordinance may be renumbered or re-lettered to accomplish such
181 intentions. The Ordinance may be renumbered or re-lettered, and typographical errors
182 and clarification of ambiguous wording that do not affect the intent can be corrected with
183 the authorization of the County Administrator and the County Attorney, or designee. In
184 the event this Ordinance conflicts with any provisions of the Charlotte County Code, the
185 provisions of this Ordinance shall control to the extent of any such conflict.

186 Section 4. Conflicts of Law. Whenever the requirements or provisions of this
187 Ordinance are in conflict with the requirements or provisions of any other lawfully adopted
188 ordinance or statute, the most restrictive requirements shall apply.

189 Section 5. Severability. If any subsection, sentence, clause, phrase, or portion of
190 this Ordinance is for any reason held invalid or unconstitutional by any court of competent
191 jurisdiction, such portion shall be deemed a separate, distinct, and independent provision,
192 and such holding shall not affect the validity of the remainder of this Ordinance.

193 Section 6. Effective Date. A certified copy of this Ordinance shall be filed with the
194 Department of State of the State of Florida within 10 days of enactment and shall become
195 effective pursuant to law.

196

197 PASSED AND DULY ADOPTED this 10th day of February, 2026.

198

199

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

200

201

202

203

204

By: _____

205

Jospeh M. Tiseo, Chairman

206

207

ATTEST:

208

Roger D. Eaton, Clerk of the Circuit

209

Court and Ex-Officio Clerk of the

210

Board of County Commissioners

211

212

213

214

By: _____

215

Deputy Clerk

216

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

217

218

219

220

221

By:  _____

222

Janette S. Knowlton, County Attorney

223

LR 2025-1093 